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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,781	09/20/2005	Antonio Carlos Favero Caires	APA-PT005	8504

3624 7590 10/10/2007

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EXAMINER	
LAO, MARIALOUISA	

ART UNIT	PAPER NUMBER
1621	

MAIL DATE	DELIVERY MODE
10/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/525,781	CAIRES ET AL.	
	Examiner	Art Unit	
	M. Louisa Lao	1621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *93-184* is/are pending in the application.

4a) Of the above claim(s) *93,95,114-171 and 174* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *94,96-113,172,173 and 175-184* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *09/20/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicants' election of Group II (claim 94) in the reply filed on 4/19/07 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an **election without traverse** (MPEP § 818.03(a)).

2. Claims 95, 114-171 and 174 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/19/07.

3. Applicants' amendments to the claims are acknowledged.

4. Applicants' elected the species of N, N-dimethyl-1-phenethylamine (dmpa) and diseases caused by tumor invasions, which Applicants stated correspond to claims 96, 106 and 107.

5. Claims 94, 96-113, 172-173 and 175-184 read on the elected species.

Specification

6. The disclosure is objected to because of the following informalities: on page 32 line 1, Applicants recited "hydrolysis" and must have intended "hydrolysis", and on page 43 line2, Applicants recited "polyvinylpyrrolidone and piran" instead of polyvinylpyrrolidone and pyran. Applicants are respectfully requested to ascertain that the specification is free of typographical and grammatical errors.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 97-104 and 106-108 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims. The factors to be considered [in making an enablement rejection] have been summarized as a) the nature of the invention, b) the breadth of the claims, c) the state of the prior art, d) the relative skill of those in the art, e) the predictability or unpredictability of the art, f) the amount of direction or guidance presented, g) the presence or absence of working examples, and h) the quantity of experimentation necessary.

***a) the nature of the invention*:** the instant claims recite cyclopalladated ferrocene compound (with structure as recited therein) "inhibits" the activity of proteins linked to disorders or diseases; where said protein is an enzyme consisting of cysteine-protease, serine peptidase and metallo-protease families and the diseases , which comprise, *inter alia* diseases caused by tissue degradation, combat against infections caused by HIV virus (AIDS), inflammatory diseases of the central nervous system causing mieline degradation and thyroid tumors and neuroblastomas. The instant claims recite cyclopalladated ferrocene compound (with structure as recited therein) "inhibits" young marrow cells from entering cell division (S stage).

b) ***the breadth of the claims****:* the claims are extremely broad in that they recite a broad array of both proteins and diseases for which the compounds are contemplated to *inhibit* protein activity linked to a plurality of diseases. The claims are interpreted to embrace *any* protein activity linked to *any* disorder or diseases. The myriad of diseases is interpreted to include any tissue degradation, any inflammatory disease, any psychological stress, any autoimmune disease, any cancer tumor. Cancer is neither a single disease nor a simple disease. The number of compounds are large and equally the number of diseases. The claims do not recite specific compounds for a specific treatment; the functionality of the compound/s described in the instant claims can be applied to a great many compounds that are known to be useful as treatments, for example, *inter alia,* psychological stress. Thus, as recited the compound recited therein in the instant claims are all encompassing. The data present is not sufficient to support the scope of the present claims. In Re Hozumi, 226 USPQ 353 (Comr. Dec. 1985); MPEP§§706.03(n) and 706.03(z).

c&e) state and predictability of the art. The claimed compounds are structurally similar to ferrocene-phosphine compounds known in the art. Known prior art are of record.

d)the relative skill of those in the art: the skill is high.

e&f)amount of guidance present and working examples. The instant disclosure provides guidance for the process of making N, N-dmpa cyclopalladated-ferrocene compound and the starting materials to effectuate a resultant product. Applicants have given working examples on bioassays on pages 47-61. However, there is no guidance as to how instant compounds with the recited structure *inhibit* or treat the plethora of disorders and diseases recited in the instant claims. The bioassays presented are directed towards tumor studies. Further, there is no guidance

to bioassays using the tested compounds and their efficacy to non-tumor related diseases. There is no guidance to using alternate alkine derivatives for non-tumor related diseases.

g) quantity of experimentation needed. The quantity of experimentation required of a person having ordinary skill in the art could potentially be infinite without further guidance. The activity and selectivity of any of the instant compounds, and their effectiveness may not be extrapolated from non-species related animal subjects, without extreme caution. Thus the method of treatment using these compounds follows the same light. Without further guidance, a person of ordinary skill may have to experiment with different types of dosage forms and modes of administration to determine the method of treatment by which these compounds can be effective by way of the functionality of the compound described in the instant claim(s). All these elements taken into consideration make the experimentation unduly burdensome.

MPEP 2164.01(a) states, "A conclusion of lack of enablement means that, based on the evidence regarding each of the above factors, the specification, at the time the application was filed, would not have taught one skilled in the art how to make and/use the full scope of the claimed invention without undue experimentation. In re Wright 999 F.2d 1557,1562, 27 USPQ2d 1510, 1513 (Fed.Cir.1993)." That conclusion is clearly justified here. Thus, undue experimentation will be required to practice Applicants' invention.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 97-108, 111-112, and 172—173, 175-184 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 97-108, 111-112, and 172—173, 175-184 provide for the use of compound of claim 94, but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to

encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

Claims 97-108, 111-112, and 172—173, 175-184 are rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd.* v. *Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

11. Claim 96 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 96 recites the limitation "the alkines" in line 3. There is insufficient antecedent basis for this limitation in the claim.

12. Claims 106, 176 and 177 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claims 106, 176 and 177, the phrase "such as" and "e.g." renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

13. Claims 109-113 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what the terms antiangiogenic, antimetastatic, "complement radio therapy treatments", "interacts with DNA" mean.

a. antiangiogenic – what attributes or structure should a compound possess. It is unclear what this term is intended to encompass.

b. antimetastatic - what attributes or structure should a compound possess. It is unclear what this term is intended to encompass.

c. "complement radio therapy treatments" – it is unclear if it is intended that any treatment using radio therapy is encompassed by this phrase and to what extent the instant compound is intended to complement this type of therapy.

d. "interacts with DNA" – it is unclear what or how the interaction with DNA is intended to be recited and where said DNA resides, whether *in vitro* or *in vivo.*

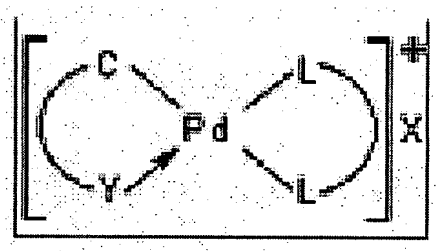
One of ordinary skill in the art would be precluded in ascertaining the metes and bounds of these terms without guidance in the specification. These limitations are both vague and all-encompassing that may include a broad array of materials and scenarios.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> ((b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 94, 97-113, 172-173 and 175-184 are rejected under 35 U.S.C. 102(b) as being anticipated by Ananias et al. Transition Metal chemistry 26(4-5). 2001. 570-573.

16. The instant claims are drawn to compound of the 

wherein:

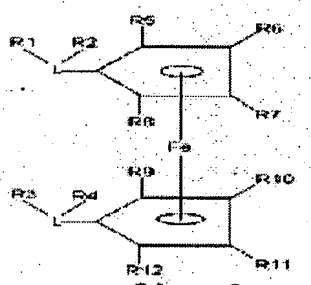
- X represents an element chosen from the group consisting of:
halogen (C1, F, Br, I); pseudo-halogen (N3, NCO, NCS, SCN); and acetate (H3C-COO); and

- Y represents an element from group V or VI of the Periodic Table;

- C represents an atom of carbon with sp^2 or sp^3 hybridization, covalentlv bonded to the atom of palladium; the ring containing C, Y and Pd can be constituted of three to eight atoms;
- between C and Y, represented by a curved line, there is a succession of atoms designated as a cyclopalladated ring;

-L represents a coordinated ligand which is a donating atom from group V of the Periodic Table (N, P, As, Sb, Bi) within a bis-diphenylphosphine-ferrocene compound as detailed by Scheme 2 below,

SCHEME 2



or one of its pharmaceutically acceptable salts or adducts.

with the schematic representation L-L indicating the presence of two linkers L within the structure of said bis- diphenylphosphine-ferrocene compound, while R1, R2, R3, R4, R5, R6, R7, R8, R9,R10, R11 and R12 individually selected from the group consisting of the following radicals, which can be present in any order: hydrogen (H), alkyl, aryl, dienyl, alkoxy, siloxy, hydroxy (OH), amine (-NH2), imide, halogen (F, Cl, Br, I), imine, and nitro (-NO2).

17. Anainas et al. teaches the mononuclear compound of the formula: [Pd(N,C-dmba) (dppf)] [NCO].CH_2Cl_2, where dppf is $Fe(C_5H_4PPh_2)_2$ and dmba is N, N, -dimethylbenzylamine.

18. Anainas et al. anticipates the instant compound when X= NCO, L-L= $Fe(C_5H_4PPh_2)_2$ and the R-substituents are H and C-Y = N, N, -dimethylbenzylamine. (See structures 2a' and 2c column 1 page 573).

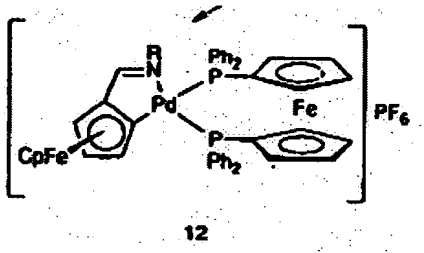
19. The compound and its properties are inseparable. In re Papesch, 315F.2d 381, 137 USPQ 43 (CCPA 1963). Thus, claims reciting the properties of the compound or the properties for treatments are inherent thereto.

It is well settled that a prior art reference may anticipate when the claim limitations not expressly found in that reference are nonetheless inherent in it. "Under the principle of inherency, if the prior art necessarily functions in accordance with, or includes, the claimed limitations, it anticipates." *MEHL/Biophile Int'l Corp. v. Miltraum, 192 f.3d 1362, 1365, 52 USPQ2d 1303, 1305.*

20. Claims 94, 97-113, 172-173 and 175-184 are rejected under 35 U.S.C. 102(b) as being anticipated by Vila et al. J.Organometallic Chem. 637 639 (2001) 577-585.

21. The instant claims are drawn to compound as discussed previously.

22. Vila et al. teaches the compound on page 581:



12

23. Vila et al. anticipates the instant compound when X= PF6, L-L= $Fe(C_5H_4PPh_2)_2$ and the R-substituents are H and C-Y= substituted aryl group.

24. The compound and its properties are inseparable. In re Papesch, 315F.2d 381, 137 USPQ 43 (CCPA 1963). Thus, claims reciting the properties of the compound or the properties for treatments are inherent thereto.

It is well settled that a prior art reference may anticipate when the claim limitations not expressly found in that reference are nonetheless inherent in it. "Under the principle of inherency, if the prior art necessarily functions in accordance with, or includes, the claimed limitations, it anticipates." *MEHL/Biophile Int'l Corp. v. Miltraum, 192 f.3d 1362, 1365, 52 USPQ2d 1303, 1305.*

25. Claims 94, 97-113, 172-173 and 175-184 are rejected under 35 U.S.C. 102(b) as being anticipated by Lousame et al. J.Inorg.Chem 2000, 2055-2062.

26. The instant claims are drawn to compound as discussed previously.

27. Lousame et al. teaches compound 9 , a mononuclear cyclometallated compound on page 2061 column 1 of the formula:

[{Pd]o-C6H4C=NC(Me)=C(Me)NMe]}(Ph2PC5H4FeC5H4PPh2-P,P')](ClO4)

28. Lousame et al. anticipates the instant compound when X= ClO_4, L-L= $Ph_2PC_5H_4FeC_5H_4PPh_2$-P,P' and the R-substituents are H and C-Y= substituted aryl group, which is , C_6H_4C=NC(Me)=C(Me)NMe.

29. The compound and its properties are inseparable. In re Papesch, 315F.2d 381, 137 USPQ 43 (CCPA 1963). Thus, claims reciting the properties of the compound or the properties for treatments are inherent thereto.

It is well settled that a prior art reference may anticipate when the claim limitations not expressly found in that reference are nonetheless inherent in it. "Under the principle of inherency, if the prior art necessarily functions in accordance with, or includes, the claimed limitations, it anticipates." *MEHL/Biophile Int'l Corp. v. Miltraum, 192 f.3d 1362, 1365, 52 USPQ2d 1303, 1305.*

30. Claims 94, 97-113, 172-173 and 175-184 are rejected under 35 U.S.C. 102(b) as being anticipated by Ma et al.

31. The instant claims are drawn to compound as discussed previously.

32. Ma et al. teaches in page 165 column2 the synthesis of structure 3 with the formula,

33. $C_{43}H_{40}NF_6P_3FePd.CH_2Cl_2$ and page 167 , Scheme 1 elucidates the reaction further.

34. Ma et al. anticipates the instant compound when X= PF_6, L-L= $Fe(C_5H_4PPh_2)_2$ and the R-substituents are H and C-Y = substituted aryl group.

35. The compound and its properties are inseparable. In re Papesch, 315F.2d 381, 137 USPQ 43 (CCPA 1963). Thus, claims reciting the properties of the compound or the properties for treatments are inherent thereto.

It is well settled that a prior art reference may anticipate when the claim limitations not expressly found in that reference are nonetheless inherent in it. "Under the principle of inherency, if the prior art necessarily functions in accordance with, or includes, the claimed limitations, it anticipates." *MEHL/Biophile Int'l Corp. v. Miltraum, 192 f.3d 1362, 1365, 52 USPQ2d 1303, 1305.*

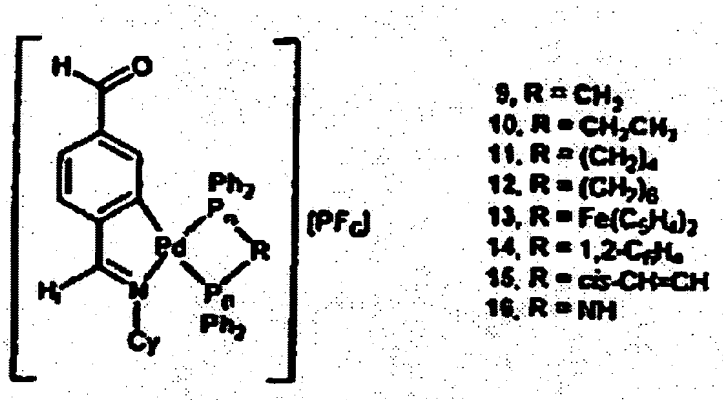
36. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

37. Claims 94, 97-113, 172-173 and 175-184 are rejected under 35 U.S.C. 102(a) as being anticipated by Ares et al. Polyhedron 21(2002) 2309-2315.

38. The instant claims are drawn to compound as discussed previously.

39. Ares et al. teaches on page 2312 scheme 1, the following structure:



Scheme 1.

40. Ares et al. anticipates the instant compound when X= PF6, L= Fe(C5H4PPh2)2 and the R-substituents are H and C-Y= substituted aryl group.

41. The compound and its properties are inseparable. In re Papesch, 315F.2d 381, 137 USPQ 43 (CCPA 1963). Thus, claims reciting the properties of the compound or the properties for treatments are inherent thereto.

It is well settled that a prior art reference may anticipate when the claim limitations not expressly found in that reference are nonetheless inherent in it. "Under the principle of inherency, if the prior art necessarily functions in accordance with, or includes, the claimed limitations, it anticipates." *MEHL/Biophile Int'l Corp. v. Miltraum, 192 f.3d 1362, 1365, 52 USPQ2d 1303, 1305.*

Claim Rejections - 35 USC § 103

42. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

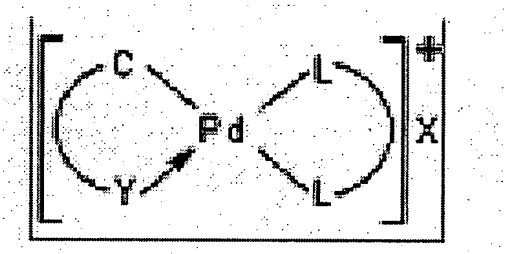
43. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

44. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

45. Claim 96 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ananias et al. Transition Metal chemistry 26(4-5). 2001. 570-573.

46. The instant claims are drawn to compound of the 

wherein:

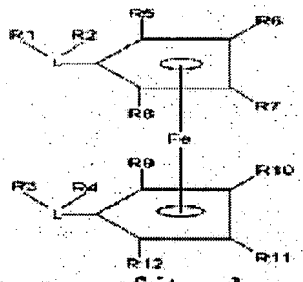
- X represents an element chosen from the group consisting of:
halogen (C1, F, Br, I); pseudo-halogen (N3, NCO, NCS, SCN); and acetate (H3C-COO); and

- Y is selected from the group consisting of N,N-dimethyl-l-phenethylamine (dmpa) and derivatives of the alkines-pyridinyl-phenyl-ethine or l-phenyl-3-N~N-dimethylamine-propine or one of its pharmaceutically acceptable salts or adducts, containing any other biphosphinic ligand.

- C represents an atom of carbon with sp^2 or sp^3 hybridization, covalentlv bonded to the atom of palladium; the ring containing C, Y and Pd can be constituted of three to eight atoms;
- between C and Y, represented by a curved line, there is a succession of atoms designated as a cyclopalladated ring;

-L represents a coordinated ligand which is a donating atom from group V of the Periodic Table (N, P, As, Sb, Bi) within a bis-diphenylphosphine-ferrocene compound as detailed by Scheme 2 below,

SCHEME 2



or one of its pharmaceutically acceptable salts or adducts.

with the schematic representation L-L indicating the presence of two linkers L within the structure of said bis- diphenylphosphine-ferrocene compound, while R1, R2, R3, R4, R5, R6, R7, R8, R9,R10, R11 and R12 individually selected from the group consisting of the following radicals, which can be present in any order: hydrogen (H), alkyl, aryl, dienyl, alkoxy, siloxy, hydroxy (OH), amine (-NH2), imide, halogen (F, Cl, Br, I), imine, and nitro (-NO2).

47. Anainas et al. teaches the mononuclear compound of the formula: [Pd(N,C-dmba) (dppf)] [NCO].CH_2Cl_2, where dppf is $Fe(C_5H_4PPh_2)_2$ and dmba is N, N, -dimethylbenzylamine.

48. Anainas et al. differs from the instant compound when X= NCO, L-L= $Fe(C_5H_4PPh_2)_2$ and the R-substituents are H and C-Y=N, N, -dimethylbenzylamine. (See structures 2a' and 2c column 1 page 573).

49. The difference from the claimed invention and the prior art is the dmpa in contrast to the dmba. The difference would not be patentable, at the time of the invention, because if would have been obvious to one skilled in the art to select a homolog akin to the group of Anainas et al. with the expectation that the species would have the utility of the other homolog. Further, analysis of the prior art of Anainas et al. clearly demonstrates that the instant elected species is a homolog of dmba. The elected species of dmpa differs from the prior art in the substitution of the hydrogen with a methyl group.

50. One of ordinary skill in the art would have been motivated to make the compound as instantly claimed, wherein the hydrogen is substituted with a methyl, with an expectation that the compound would be useful for making pharmaceutical compounds.

51. No claims are allowed.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MLouisa Lao whose telephone number is 571-272-9930. The examiner can normally be reached on Mondays to Thursdays from 8:00am to 8:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler can be reached on 571-272-0871. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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